IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL APPLICATION NO.349 OF 2005
IN
CRIMINAL APPEAL NO.1410 OF 2003

Azaruddin Tafajjal Hussain Shah .. Applicant.

v/s.

The State of Maharashtra .. Respondent.

Mr.A.P.Mundargi with Mr.M.K.Kocharekar for applicant.

Ms.Usha Kejariwal, Additional Prosecutor for the State.

CORAM : R.M. LODHA AND
R.S. MOHITE, JJ.

DATED : 7th February, 2005

P.C.

Heard Mr.A.P.Mundargi, the learned counsel for the appellant-applicant.

2. We find from the proceedings that the applicant took out the bail application earlier being criminal application No.4932 of 2003. The said bail application was rejected by the Division Bench of this court on 25th March, 2004. It is true that while rejecting the earlier bail application, the Division Bench ordered expeditious hearing of the appeal and the appeal has not been heard so far but in our considered view, this aspect does not

persuade us to release the accused on bail.

3. Criminal application for bail is, accordingly, rejected.

4. Though the hearing of the criminal appeal has been expedited, yet we find that it is not possible to give any fixed date of hearing in the criminal appeal as the older appeals in which the accused are in jail are on hearing board before us. Liberty to apply for expeditious hearing after six months and on receipt of paper-books.

5. Criminal application stands disposed of.

(R.M. LODHA, J.)

(R.S. MOHITE, J.)